

DECLARATION, POWER OF ATTORNEY, AND EXCLUSION OF INVENTOR UNDER 37 C.F.R. SEC 1.32

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled:

PROGRAMMER/FEEDER SYSTEM TASK LINKING PROGRAM

the specification of which

☒ is attached hereto

☐ was filed on _____ as Application Serial No. _____ and was amended on (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I do not know and do not believe the same was ever known or used in the United States of America before this invention thereof or more than one year prior to this application, and that the same was in public use or on sale in the United States of America more than one year prior to this application. I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with title 37, Code of Federal Regulations, section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year filed</u>	<u>Priority Claimed</u>	
			<u>Yes</u>	<u>No</u>

I hereby claim the benefit under 35 USC 119(e) of any United States provisional application(s) listed below:

Prior Provisional Application(s):

<u>Application Number</u>	<u>Filing Date</u>

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s):

<u>Serial No.</u>	<u>Filing Date</u>	<u>Status: Patented, Pending, Abandoned</u>
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby revoke any previous Powers of Attorney and appoint the following attorney(s) and/or agent(s), each said individual being a member or associate of The Law Offices of Mikio Ishimaru or being employed by Data I/O Corporation:

Mikio Ishimaru Reg. No. 27,449

for so long as they remain with such law offices or company with full power of substitution and revocation, to prosecute this application and to transact in connection therewith all business in the Patent and Trademark Office and before competent International Authorities; said appointment to be to the exclusion of myself and my other attorney(s) in accordance with the provisions of 37 C.F.R. 1.32; and all future correspondence should be addressed to:

Mikio Ishimaru
The Law Offices of Mikio Ishimaru
1046 Pinenut Court
Sunnyvale, California 94087

Inventor's signature: *Fred Albert Dykins* Date: 1-14-2000

Full name of sole or first inventor: Fred Albert Dykins

Citizenship: USA

Residence Address: 927 - 132nd Street SW, #D4
Everett, WA 98204

P.O. Address: Same as Residence

Inventor's signature: *Lev M. Bolotin* Date: 1-14-2000

Full name co-inventor: Lev M. Bolotin

Citizenship: USA

Residence Address: 9306 NE 125th Street
Kirkland, WA 98034

P.O. Address: Same as Residence

Inventor's signature: *Vincent Warhol* Date: 1/14/2000

Full name co-inventor: Vincent Warhol

Citizenship: USA

Residence Address: 16559 189th Avenue NE
Woodinville, WA 98072

P.O. Address: Same as Residence

STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))—SMALL BUSINESS CONCERN

Docket Number (Optional)
1015-011

Applicant, Patentee, or Identifier: Bryan D. Powell et al.

Application or Patent No.: _____

Filed or Issued: _____

Title: PROGRAMMER/FEEDER SYSTEM TASK LINKING PROGRAM

I hereby state that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Data I/O Corporation

ADDRESS OF SMALL BUSINESS CONCERN 10525 Willows Road N.E., P.O. Box 97046
Redmond, WA 98073-0746

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

☒ the specification filed herewith with title as listed above.

☐ the application identified above.

☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

☐ no such person, concern, or organization exists.

☒ each such person, concern, or organization is listed below.

Data I/O Corporation

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING

JOEL S. HATLEN

TITLE OF PERSON IF OTHER THAN OWNER

VP / CFO

ADDRESS OF PERSON SIGNING

10525 WILLOWS RD. NE, REDMOND WA 98052

SIGNATURE

Joel Hatlen

DATE

1/14/00